

DEC. 3. 2004 3:21PM

NO. 2296 P. 9

Serial NO. 10/635,631

Remarks

The instant amendment is being made as a result of telephone interviews with Examiner Nguyen and her supervisor Paula Bradley held on September 16, 2004 and October 4, 2004.

During the interviews, the claimed invention was explained, and the prior art was discussed. Among the prior art references, Fig. 7 of Chin (6,670,950) was deemed to provide the most detailed structure, and applicant's claims were discussed relative to the Chin structure. With respect to claim 1, it was stressed that Chin does not disclose the pointing device having "a flat input surface laid on the inner surface of the operation area." As to newly submitted claim 16, it was pointed out that Chin does not disclose "a pointing device arranged in said housing, the pointing device having a flat input surface laid on the inner surface of the outside wall." Similar limitations appear in all of applicant's independent claims.

It was agreed during the first interview of September 16, 2004, that the prior art did not disclose applicant's invention. However, because the amount of time available for the interview was rather short, it was agreed that a further interview would be held in October and that in the meantime, the examiner would do some additional searching to see if there was better prior art.

During the second interview of October 4, 2004, it was confirmed that the Examiner did do additional searching but was unable to find better prior art. Ms. Bradley made some suggestions that the claims recite an "exterior" surface rather than the "outer" surface and further that the surface having the pointing device laid thereon should be termed the "interior" surface rather than the "inner" surface. It was also suggested that as to claim 1, the pointing device should be recited as being laid on the interior surface of the outside wall opposite or adjacent the operation area.

Applicant agreed to make the requested changes but did not want to trigger any adverse *Festo* or *Hilton Davis* presumptions from being made since applicant felt the suggested changes resulted in substantively the same claimed subject matter. Ms. Bradley agreed that the suggested changes, if made, did not substantively change the claimed subject matter. Moreover, Ms. Bradley and examiner Nguyen agreed that these changes should not

DEC. 3. 2004 3:21PM

NO. 2296 P. 10

Serial NO. 10/685,631

be deemed to be made for "reasons related to patentability" (not made to distinguish over the prior art nor for Sec. 112 reasons) and were suggested to be made only to clarify the claims and to improve their style. As such, it is submitted that applicant's claims are entitled to the full range of equivalents permitted under the patent laws as if the claims had not been amended.

It is submitted that the application is now in condition for allowance and an early indication of same is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date

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